

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Brian D. Kelly,

Civil No. 03-6091 (DWF/JSM)

Plaintiff,

v.

ORDER

Aman Collections Services; U.S. Department
of Education; Minnesota State Student Loan
Program; Minnesota Higher Education
Services Office; HEMAR Service Corporation;
EFS Services; and Nel Net,

Defendants.

Brian D. Kelly, *Pro Se*, Plaintiff.

Charles F. Webber, Esq., and Erik J. Girvan, Esq., Faegre & Benson LLP, counsel for
Defendant Aman Collections Services.

Mary L. Trippler, Assistant United States Attorney, United States Attorney's Office,
counsel for Defendant U.S. Department of Education.

James P. Barone, Assistant Attorney General, Minnesota Attorney General's Office,
counsel for Defendants Minnesota State Student Loan Program and Minnesota Higher
Education Services Office.

Brian T. Benkstein, Esq., Felhaber Larson Fenlon & Vogt, PA, counsel for Defendants
EFS Services and Nel Net.

The above-entitled matter comes before the Court upon the Report and
Recommendation of United States Magistrate Judge Janie S. Mayeron dated January 5,
2007. No objections have been filed to that Report and Recommendation in the time
period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED:

1. Defendant Aman Collection Services, Inc.'s Second Motion to Dismiss (Doc. No. 202) is **GRANTED**.

Dated: January 23, 2007

s/Donovan W. Frank
DONOVAN W. FRANK
Judge of United States District Court